

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

BRIAN F MCGHUGH AND JENNIFER
LYNN MCHUGH,

Debtors

CHAPTER 7

CASE NO. 5:22-bk-01870-MJC

**DEBTORS' RESPONSE TO UNITED STATES TRUSTEE'S MOTION FOR REVIEW
OF PROFESSIONAL FEES**

1. Admitted in part. It is denied that this matter is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A), which provides that “matters concerning the administration of the estate” are core. This matter does not concern the administration of the estate. However, it is admitted that the matter is nevertheless core because it invokes a substantive right provided by title 11.

2. Admitted, except that the date that the petition was filed was September 28, 2022.

3. – 5. Admitted.

6. Denied. Attached as [Exhibit A](#) is an itemized bill showing that the time spent in this matter far exceeded the \$2,995.00 that was paid. When the petition was filed, \$2,995.00 had been paid, plus the filing fee of \$338.00, yet no additional amount was requested from the Debtors at that time even though the about-to-be-filed petition would stay (and eventually discharge) any effort to collect additional fees. Additionally, Sabatini has never sought post-petition payment from any Chapter 7 debtor under any Chapter 7 fee agreement for any post-petition time.

7. Admitted.

8. Admitted in part. While virtually every case contains “complicating factors” to some degree, it is admitted that this case did not involve dischargeability or exemption litigation. It is also agreed that the listing of claims listed on Line 33 of Schedule A/B are not complicating factors that required *extended* attention and involvement from an attorney. Instead, the listing of

those claims required the same type of moderate attorney attention and involvement as would the listing of any other claim, such as for personal injury or breach of contract.

9. Admitted.

10. Admitted in part. As the Court has the statutory authority to consider the reasonable value of services, it is always appropriate for the Court to consider whether a reduction in fees is warranted. It is denied that such a reduction is warranted here.

Dated: February 6, 2023

/s/ Carlo Sabatini

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